

Maricopa County Justice Courts, State of Arizona

(1)

Court Name and address

(4) Petitioner/ Plaintiff <input type="checkbox"/> Judgment Creditor <input type="checkbox"/> Judgment Debtor Name: _____ Address: _____ City, State, Zip Code: _____ Phone(s): _____	(7) Case No.: _____ (6) Garnishee Name: _____ (Address: _____ City, State, Zip Code: _____ Phone(s): _____ Attorney: _____
(5) Respondent/ Defendant <input type="checkbox"/> Judgment Creditor <input type="checkbox"/> Judgment Debtor Name: _____ Address: _____ City, State, Zip Code: _____ Phone(s): _____	

GARNISHEE'S NONEXEMPT EARNINGS STATEMENT (NOT FOR SUPPORT OF A PERSON) (ARS 12-1598.11 and 12-1598.16(J))

1. This Nonexempt Earnings Statement covers the following pay period: **(8)** _____ to _____
2. Do you currently employ the judgment debtor **(9)** ☐ Yes ☐ No
3. If no, what was the last date on which the judgment debtor worked for you? **(10)** _____
4. Is the judgment debtor owed any earnings for this pay period? **(11)** ☐ Yes ☐ No.

WITHHOLDING WORKSHEET

Judgment debtor's gross earnings (pre-tax) for this pay period **(12)** \$ _____

Judgment debtor's disposable earnings (gross minus deductions required by law) **(13)** \$ _____

25% of line **(13)** (or other percentage ordered by the Court) **(14)** \$ _____

Judgment debtor's pay period: **(15)** (check one)
☐ Weekly (factor = 30) ☐ Biweekly (factor = 60) ☐ Semimonthly (factor = 65) ☐ Monthly (factor = 130)

Current federal minimum wage: **(16)** \$ _____

Line **(16)** multiplied by factor selected in **(15)** **(17)** \$ _____

Line **(13)** minus line **(17)** **(18)** \$ _____

Amount from line **(14)** or line **(18)**, whichever is smaller **(19)** \$ _____

Amount withheld for other court-ordered assignment for support of a person or other garnishment or levy for collection of taxes **(20)** \$ _____

Line **(19)** minus line **(20)**, this is the amount withheld **(21)** \$ _____

Line **(21)** minus employer's \$5.00 processing fee **(22)** \$ _____

(23) Copy provided to judgment debtor on:

Date: _____

By: ☐ Mail ☐ Hand delivery

(24) Copy provided to judgment creditor on:

Date: _____

By: ☐ Mail ☐ Hand delivery

(25)

_____ Date

_____ Garnishee or Authorized Agent

INSTRUCTIONS FORM 12 – GARNISHEE’S NONEXEMPT EARNINGS STATEMENT

(Not for Support of a Person) (A.R.S. 12-1598.11 & 12-1598.16(J))

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

USE FORM 12 IF:

- You are the garnishee or you represent the garnishee in a wage garnishment seeking payment for a judgment **not** for support of a person (e.g. child support or spousal maintenance).

TO COMPLETE FORM 12 YOU WILL NEED:

- The judgment debtor’s employment history and pay period information.
- Information from the Writ of Garnishment.
- Copies of any other garnishments, wage assignments (Orders of Assignment) or liens pending against the same judgment debtor in your possession.
- Information from the Order of Continuing Lien, if one has been issued.

HOW TO COMPLETE FORM 12:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Nonexempt Earnings Statement.

*Lines 1 through 7 are known as the **caption**. You must complete this portion if not already filled in.*

- (1) Type or print the name and the address of the Justice Court precinct in which you are filing the Application for Writ.
- (4) Type or print the name, mailing address and, if known, phone number(s) of the petitioner/plaintiff as it appears on the Writ of Garnishment. Check the box to indicate whether this party is the judgment creditor or judgment debtor in this garnishment action.
- (5) Type or print the name, mailing address and, if known, phone number(s) of the respondent/defendant as it appears on the Writ of Garnishment. Check the box to indicate whether this party is the judgment debtor or judgment creditor in this garnishment action.
- (6) Type or print the garnishee’s name, mailing address, phone number.
- (7) Type or print the case number appearing on the Writ of Garnishment and Summons.
- (8) Type or print the first and last date of the pay period covered by this Nonexempt Earnings Statement.
- (9) Check the box that indicates whether the judgment debtor is in your employ.
- (10) If you checked, “no” in item (9) above, type or print the date on which the judgment debtor last worked for you.
- (11) Check the box that indicates whether the judgment debtor is owed any earnings during this pay period.

Even if no monies were earned by the judgment debtor in this pay period, you must still complete the Withholding Worksheet.

- (12) Type or print the amount of gross earnings (pre-tax) which the judgment debtor earned during the pay period covered by this Nonexempt Earnings Statement.

- (13) Type or print the amount of disposable earnings (gross minus deductions required by law) which the judgment debtor earned during the pay period covered by this Nonexempt Earnings Statement.

- (14) Multiply the amount in line (13) by 25%. If an Order of Continuing Lien directs you to apply a different percentage, multiply the amount in line (13) by that percentage. Type or print the result here.

- (15) Check the box that identifies judgment debtor’s pay period.

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- (16) Type or print the current federal minimum wage. This information is available online from the United States Department of Labor or by calling toll free: 1-866-487-2365.
- (17) Multiply line (16) by the factor selected in (15). For example, if the judgment debtor's pay period is weekly, then multiply the federal minimum wage by 30 to get your result. If the pay period is monthly, multiply by 130.
- (18) Subtract line (17) from line (13) and type or print the result here.
- (19) Type or print the amount appearing at line (14) or line (18), whichever is smaller.
- (20) Type or print the total amount, if any, which you are withholding from this judgment debtor's earnings pursuant to court-ordered assignments for support of a person, other garnishments or levies for collection of taxes.
- (21) Subtract line (20) from line (19) and type or print the result here.
- (22) Subtract \$5.00 from line (21) and type or print the result here. The \$5.00 is the optional fee you are entitled to for processing the Nonexempt Earnings Statement.
- (23) Complete the information under this box indicating the date and manner in which you will provide the judgment debtor with a copy of this Nonexempt Earnings Statement.
- (24) Complete the information under this box indicating the date and manner in which you will provide the judgment debtor with a copy of this Nonexempt Earnings Statement.
- (25) Date and sign this Nonexempt earnings Statement where indicated.

WHEN YOU HAVE COMPLETED THE NONEXEMPT EARNINGS STATEMENT (Not for Support of a Person):

- ☒ File this form with the Clerk's filing counter along with your Request for Hearing.